

07-11-02

Receipt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Ken KUTARAGI, et al.

Serial No : 09/942,978

Filed : August 30, 2001

Title : METHOD AND SYSTEM FOR MANAGING FEES....

July 10, 2002

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Commissioner of Patents
Box DAC
Washington, D.C. 20231

JUL 22 2002

OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. § 1.10(c)

SIR:

Applicants filed a Request for Corrected Filing Receipt in the above-referenced application on June 7, 2002, which is attached for reference. Applicants received a Response to this request mailed July 2, 2002, also attached for reference, indicating that the Office was unable to comply with the request, as an Express Mail label showing the "date in" had not accompanied the request together with a suitable petition to the Office of Petitions requesting a corrected filing date.

Upon information and belief, Applicants deposited the above-referenced application with the USPS on August 30, 2001 and received a copy of Express Mail Receipt EL639693967US with a "date in" of August 30, 2001. Upon information and belief, a copy of this receipt was subsequently misplaced or lost by Applicants.

The USPS delivery record attached to the attached request of June 7, 2002 clearly shows that the Express Mail package EL639693967US was received in the United States Patent and Trademark Office on August 31, 2001 at 6:50 A.M. Applicants subsequently received a return post card for the above-referenced application indicating that it had

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been received in the USPTO on August 31, 2001. Upon information and belief, a true copy of this post card is attached to this petition. This post card indicates that the application was mailed on August 30, 2001 in Express Mail package EL639693967US. Further, upon information and belief, the Request of June 7, 2002 includes a true copy of the first page of the above-referenced application that includes a stamp also indicating that the application was filed in Express Mail package EL639693967US.

In order for the application to have been received via Express Mail package EL639693967US at the USPTO on August 31, 2001 at 6:50 A.M., it clearly must have been deposited with the USPS no later than August 30, 2001. Accordingly, Applicants respectfully submit that the above-referenced application is therefore entitled to a filing date of August 30, 2001 based on the Express Mail deposit date rather than the actual date of receipt by the USPTO. Applicants petition the Commissioner to accord the application a corrected filing date of August 30, 2001, and to provide Applicants with a corrected filing receipt reflecting this application date.

Any fee, due as a result of this paper may be charged on Deposit Account No. 50-1290.

Respectfully submitted,



Thomas J. Bean
Reg. No. 44,528

Katten Muchin Zavis Rosenman
575 Madison Avenue
New York, NY 10022-2585
(212) 940-8800
Docket No: SCEW 18.968

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-------------|-----------------------|------------------------|
|--------------------|-------------|-----------------------|------------------------|

09/942,978

08/31/2001

Ken Kutaragi

100809-16279 (SCEW
18.968)

CONFIRMATION NO. 7677



OC000000008390899

026304

KATTEN MUCHIN ZAVIS ROSENMAN
575 MADISON AVENUE
NEW YORK, NY 10022-2585

Date Mailed: 07/02/2002

RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Application Filing Date

In response to your request for a corrected Filing Receipt, the Office can not comply with your request because:

- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, a petition to accord a filing date should be submitted along with a copy of the Express Mail label showing the "date in" and be directed to the Office of Petitions.
- A copy of the Express Mail label was not enclosed with your request. Petitions under 37 CFR 1.10 require a copy of the Express Mail Label to be submitted.
- The "date in" on the Express Mail label is the date given on the Filing Receipt.
- The filing date accorded to the application is the date the application met the filing date requirements of 37 CFR 1.53(b) or (c).
- Applications submitted with a certificate of mailing under 37 CFR 1.8 are accorded a filing date as of the date the application is received in the U.S. Patent and Trademark Office. A request to review the filing date accorded to the application must be in the form of a petition.
- The filing date on your return postcard is the same as the date on your Filing Receipt. A request to review the filing date accorded to the application must be in the form of a petition.

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A petition under 37 CFR 1.10, 37 CFR 1.53 or 37 CFR 1.182 is needed to request a change to the filing date. A \$130 petition fee is required for a petition under 1.53 or 1.182. If you choose to file a petition, the petition and the \$130 petition fee, if any, to:

Box DAC
Commissioner for Patents
Washington, DC 20231

Nicole Karpusso
Nicole Karpusso
Customer Service Center
Initial Patent Examination Division
(703) 308-1202

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Date: 05/30/2002

Fax Transmission To: BRENDY BELONY
Fax Number: 212-940-8986

Dear BRENDY BELONY:

The following is in response to your 05/30/2002 request for delivery information on your Express Mail item number EL639693967US. The delivery record shows that this item was delivered on 08/31/2001 at 06:50 AM in WASHINGTON, DC 20231 to M BOSTON. The scanned image of the recipient information is provided below.

Signature of Recipient: _____ Delivery Section

Mary Boston
Mary Boston

Address of Recipient: _____
PATENTS 20231

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local Post Office or postal representative.

Sincerely,

United States Postal Service

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Filed by Express Mail
(Receipt No. 1021039107)
on 11/14/02
pursuant to 37 C.F.R. 1.10.
by Kondo

- 1 -

METHOD AND SYSTEM FOR MANAGING FEES OF CONTENTS,
COMPUTER PROGRAM AND RECORDING MEDIUM

CROSS-REFERENCE TO RELATED APPLICATIONS

5

This application is based upon and claims the benefit of priorities from the prior Japanese Patent Applications No. 2000-266155 filed on September 1, 2000 and No. 2001-261736 filed on August 30, 2001, the entire contents of both of which are 10 incorporated herein by reference.

BACKGROUND OF THE INVENTION

1. Field of the Invention

15 The present invention relates to a technique for distributing contents which includes, for example, game programs, video signals, image data, sound data, music data, character information or the composition of them, especially to a technique for managing fees arising from distributing or utilizing these contents.

20

2. Description of the Related Art

Along with the popularization of the internet, distributing contents to numbers of people is becoming easier. Recently, pay 25 services of distributing contents are implemented actively. However, in the case that pay contents is transacted through the wide-area network like the internet to which general public people can access, it is difficult to set charge fee properly, because it is hard to figure out how much the pay contents is utilized.

30 To solve such problems, the techniques for distributing contents were conventionally proposed, which are described below.

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Docket No.: SCEW 18.968 Mailed: August 30, 2001
For: METHOD AND SYSTEM FOR MANAGING FEES OF CONTENTS, COMPUTER
PROGRAM AND RECORDING MEDIUM

Enclosures:

- [X] Transmittal Sheet (in duplicate) [X] 1-39pgs of spec.
[] Fee Transmittal Sheet (in duplicate)
[X] 78Sheets of Drawings (1-4,5-6,7-8,9)
[] Sub-Power of Attorney j1000
[] Original Signed Decl. 09/
[] Declaration (UNEXECUTED)
[] Preliminary Amendment
[] Form PTO-1619A&B Assignment 08/3
[] Cert. Copies of _____ Appln. No.: (s) _____
[] Small Entity Statement
[] Check for \$ _____
[] Info. Disc. Statement, PTO-1449, Copy(ies) of _____
[] Other

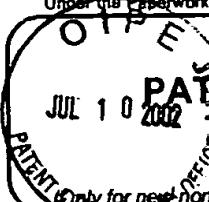
Filed Via Express Mail No. EL639693967US

Stamp of USPTO

J1000 U.S. PTO
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REF ID: A6429

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|--|------------------------|--|
|  UTILITY PATENT APPLICATION TRANSMITTAL JUL 10 2002 <small>PATENT ONLY FOR NEW NONPROVISIONAL APPLICATIONS UNDER 37 CFR 1.53(b))</small> | Attorney Docket No. | SCEW 18.968 |
| | First Inventor | K. KUTARAGI |
| | Title | METHOD AND SYSTEM FOR MANAGING FEES... |
| | Express Mail Label No. | EL639693967US |

| | |
|--|--------------------|
| APPLICATION ELEMENTS | ADDRESS TO: |
| See MPEP chapter 600 concerning utility patent application contents. | |
| Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 | |

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification [Total Pages 39]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. Oath or Declaration [Total Pages]
 a. Newly executed (original or copy)
 Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 i. **DELETION OF INVENTOR(S)**
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
 i. CD-ROM or CD-R (2 copies); or
 ii. paper
- c. Statements verifying identity of above copies

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)
11. English Translation Document (*if applicable*)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Prior application information: Examiner _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 026304 (Insert Customer No. or Attach bar code label here) | <input type="checkbox"/> Correspondence address below |
| Name | | |
| Address | | |
| City | State | Zip Code |
| Country | Telephone | Fax |

| | | | |
|-------------------|--|-----------------------------------|--------|
| Name (Print/Type) | Samson Helfgott | Registration No. (Attorney/Agent) | 23,072 |
| Signature | RECEIVED JUL 22 2002 OFFICE OF PETITIONS | | |
| Date | 08/30/01 | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.